

02570 U.S. PTO
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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 32542-8003US1

First Inventor Dale Bathum

Title RUNNING SANDAL

Express Mail Label No. EV335525599US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 16]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
- Oath or Declaration [Total Pages 2]
- Newly executed (original or copy)
- Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
- DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Mail Stop Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

- CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
 - Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - CD-ROM or CD-R (2 copies); or
 - paper
 - Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

- Assignment Papers (cover sheet & document(s))
- 37 C.F.R. §3.73(b) Statement Power of Attorney (*when there is an assignee*)
- English Translation Document (*if applicable*)
- Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
- Preliminary Amendment
- Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
- Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- Other: Check

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior application No: _____ / _____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

Claims the benefit of U.S. Provisional Application No. 60/404,707 filed August 20, 2002

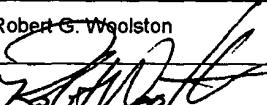
17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

25096

PATENT TRADEMARK OFFICE

Correspondence address below

Name (Print/Type)	Robert G. Woolston	Registration No. (Attorney/Agent)	37,263
Signature		Date	August 20, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box Patent Application, Washington, DC 20231.

03917 U.S. PTO
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PTO

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PTO/SB/17 (05-03)

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FEE TRANSMITTAL for FY 2003

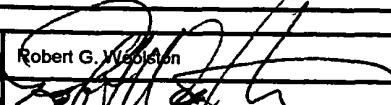
Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$513.00)

Completeness if Known	
Application Number	
Filing Date	August 20, 2003
First Named Inventor	Dale Bathum
Examiner Name	
Art Unit	
Attorney Docket No.	32542-8003US1

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																																																																																												
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 50-0665 Deposit Account Name The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td></td><td></td><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td></td><td></td><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English Specification</td><td></td></tr> <tr><td></td><td></td><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td></td><td></td><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td></td><td></td><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td></td><td></td><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td></td><td></td><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td></td><td></td><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td></td><td></td><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td></td><td></td><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td></td><td></td><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td></td><td></td><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td></td><td></td><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td></td><td></td><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td></td><td></td><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td></td><td></td><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td></td><td></td><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td></td><td></td><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td></td><td></td><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td></td><td></td><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td></td><td></td><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td></td><td></td><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td></td><td></td><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td></td><td></td><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td></td><td></td><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td></td><td></td><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr><td></td><td></td><td colspan="5">*Reduced by Basic Filing Fee Paid</td><td>SUBTOTAL (3) (\$)</td></tr> </tbody> </table>					Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid			1051	130	2051	65	Surcharge - late filing fee or oath				1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet				1053	130	1053	130	Non-English Specification				1812	2,520	1812	2,520	For filing a request for ex parte reexamination				1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action				1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action				1251	110	2251	55	Extension for reply within first month				1252	410	2252	205	Extension for reply within second month				1253	930	2253	465	Extension for reply within third month				1254	1,450	2254	725	Extension for reply within fourth month				1255	1,970	2255	985	Extension for reply within fifth month				1401	320	2401	160	Notice of Appeal				1402	320	2402	160	Filing a brief in support of an appeal				1403	280	2403	140	Request for oral hearing				1451	1,510	1451	1,510	Petition to institute a public use proceeding				1452	110	2452	55	Petition to revive - unavoidable				1453	1,300	2453	650	Petition to revive - unintentional				1501	1,300	2501	650	Utility issue fee (or reissue)				1502	470	2502	235	Design issue fee				1503	630	2503	315	Plant issue fee				1460	130	1460	130	Petitions to the Commissioner				1807	50	1807	50	Processing fee under 37 CFR 1.17(q)				1806	180	1806	180	Submission of Information Disclosure Stmt				8021	40	8021	40	Recording each patent assignment per property (times number of properties)				1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))				1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))				1801	750	2801	375	Request for Continued Examination (RCE)				1802	900	1802	900	Request for expedited examination of a design application				Other fee (specify) _____								*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$)
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*or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																																																																																

SUBMITTED BY				(Complete if applicable)		
Name (Print/Type)	 Robert G. Webiston			Registration No. (Attorney/Agent)	37,263	Telephone (206) 359-8000
Signature				Date	August 20, 2003	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Express Mail No. EV335525599US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DALE BATHUM

FILED: CONCURRENTLY HEREWITH

FOR: RUNNING SANDAL

Request and Certification Under
35 U.S.C. § 122(b)(2)(B)(i)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

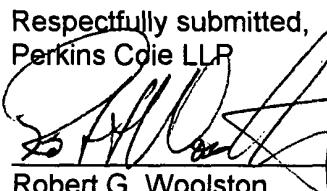
This request must be signed in compliance with 37 C.F.R. § 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of application eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122(b)(2)(B)(iii)).**

Date: 8/20/03

Respectfully submitted,
Perkins Coie LLP



Robert G. Woolston
Registration No. 37,263

Correspondence Address:
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